

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RICHARD BARRIENTOS,

Petitioner,

vs.

RENEE BAKER, *et al.*


Respondents.

2:05-cv-01165-JCM-RJJ

ORDER

Respondents' motion (#57) for substitution of Renee Baker for E.K. McDaniel as a respondent herein is GRANTED. The court is not sanguine, however, that such a motion is either necessary or useful in this long-closed case. The court of appeals denied a certificate of appealability approximately two years ago; it does not appear that a petition for a writ of *certiorari* was filed or is pending in the supreme court; and there do not appear to be any pending proceedings of non-clerical substance in this matter. See *also* Fed. R. Civ. Pro. 25(d) (successor officer automatically substituted even prior to court order). Unless counsel can identify a substantial practical utility for a substitution motion and order such as this in a closed case, the court would prefer to direct its limited resources to other matters.

DATED: November 10, 2011.



JAMES C. MAHAN
United States District Judge